

012604

23026 U.S. PTO

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PTO/SB/05 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCEUTILITY  
PATENT APPLICATION  
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	1230-2
First Inventor	Arthur A. Alfaro
Title	CARDIAC DEFECT OCCLUSION DEVICE
Express Mail Label No.	EL 333229222US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)

2.  Applicant claims small entity status.  
See 37 CFR 1.27.

3.  Specification [Total Pages 21]  
(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4.  Drawing(s) (35 U.S.C. 113) [ Total Sheets 6 ]

5. Oath or Declaration [ Total Pages ]  
 a.  Newly executed (original or copy)  
 b.  Copy from a prior application (37 CFR 1.63 (d))  
 (for continuation/divisional with Box 18 completed)
   
 i.  **DELETION OF INVENTOR(S)**  
 Signed statement attached deleting inventor(s)  
 named in the prior application, see 37 CFR  
 1.63(d)(2) and 1.33(b).

6.  Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents, P. O. Box 1450  
Alexandria, VA 22313-1450

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
   
 a.  Computer Readable Form (CRF)
   
 b. Specification Sequence Listing on:
 

- i.  CD-ROM or CD-R (2 copies); or
- ii.  paper

 c.  Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9.  Assignment Papers (cover sheet & document(s))

10.  37 CFR 3.73(b) Statement  Power of  
(when there is an assignee)  Attorney

11.  English Translation Document (if applicable)

12.  Information Disclosure  Copies of IDS  
Statement (IDS)/PTO-1449  Citations

13.  Preliminary Amendment

14.  Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)

15.  Certified Copy of Priority Document(s)  
(if foreign priority is claimed)

16.  Request and Certification under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.

17.  Other: Check for \$385.00

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No. \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_

Group Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

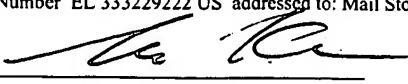
## 19. CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here)	<input checked="" type="checkbox"/> Correspondence address below				
Name	Yuri Kateshov				
Address	DILWORTH & BARRESE, LLP 333 Earle Ovington Blvd.				
City	Uniondale	State	New York	Zip Code	11553
Country	U.S.A	Telephone	(516) 228-8484	Fax	(516) 228-8516
Name (Print/Type)	Yuri Kateshov		Registration No. (Attorney/Agent)	34,466	
Signature			Date	01/26/04	

## CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL 333229222 US addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: January 26, 2004



Yuri Kateshov

19270 U.S. PTO  
10/764609

012604

# FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$ 385.00)

## Complete If Known

Application Number	-not yet assigned
Filing Date	herewith
First Named Inventor	Arthur A. Alfaro
Examiner Name	not yet known
Art Unit	not yet assigned
Attorney Docket No.	1230-2

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:

Deposit Account Number	04-1121
Deposit Account Name	Dilworth & Barrese LLP

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385			Utility filing fee	385.00
1002 340	2002 170			Design filing fee	
1003 530	2003 265			Plant filing fee	
1004 770	2004 385			Reissue filing fee	
1005 160	2005 80			Provisional filing fee	
SUBTOTAL (1) (\$ 385.00)					

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	-0.00
20	3		-3** =	X	-0.00

Large Entity	Small Entity	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$ 0.00)		

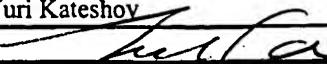
\*\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	2051	65	Surcharge - late filing fee or oath	
1052 50	2052 25	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130			Non-English specification	
1812 2,520	1812 2,520			For filing a request for ex parte reexamination	
1804 920*	1804 920*			Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*			Requesting publication of SIR after Examiner action	
1251 110	2251 55	2251	55	Extension for reply within first month	
1252 420	2252 210	2252	210	Extension for reply within second month	
1253 950	2253 475	2253	475	Extension for reply within third month	
1254 1,480	2254 740	2254	740	Extension for reply within fourth month	
1255 2,010	2255 1,005	2255	1,005	Extension for reply within fifth month	
1401 330	2401 165	2401	165	Notice of Appeal	
1402 330	2402 165	2402	165	Filing a brief in support of an appeal	
1403 290	2403 145	2403	145	Request for oral hearing	
1451 1,510	1451 1,510			Petition to institute a public use proceeding	
1452 110	2452 55	2452	55	Petition to revive - unavoidable	
1453 1,330	2453 665	2453	665	Petition to revive - unintentional	
1501 1,330	2501 665	2501	665	Utility issue fee (or reissue)	
1502 480	2502 240	2502	240	Design issue fee	
1503 640	2503 320	2503	320	Plant issue fee	
1460 130	1460 130	1460	130	Petitions to the Commissioner	
1807 50	1807 50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	1806	180	Submission of Information Disclosure Stmt	
8021 40	8021 40	8021	40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	2801	385	Request for Continued Examination (RCE)	
1802 900	1802 900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$)	

(Complete if applicable)

SUBMITTED BY	Name (Print/Type)	Registration No. (Attorney/Agent)	Telephone (516) 228-8484
Signature			Date 01/26/04

## CERTIFICATION UNDER 37 C.F.R. §1.10

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL 995744791 US addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: January 26, 2004

Yuri Kateshov

PATENT  
Atty. Docket No. 1230-2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**UTILITY APPLICATION DATA SHEET UNDER 37 C.F.R. §1.76**

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): Arthur A. Alfaro

For: CARDIAC DEFECT OCCLUSION DEVICE

Enclosed are:

16 page(s) of specification  
 1 page(s) of Abstract  
 4 page(s) of claims  
 6 sheets of drawings [ ] formal  informal  
 — page(s) of Declaration and Power of Attorney

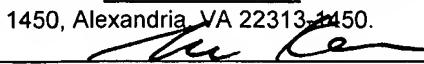
ASSIGNEE NAME: \_\_\_\_\_

ASSIGNEE RESIDENCE: \_\_\_\_\_

**CERTIFICATION UNDER 37 C.F.R. § 1.10**

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date January 26, 2004 in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL 333229222 US addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: January 26, 2004

  
Yuri Kateshov

This application claims the benefit under 35 U.S.C. §119(e) of U.S. Provisional Application(s) No(s).:

APPLICATION NO(S).:  
60/442,476

FILING DATE  
January 24, 2003

Certified copy of application

<u>Country</u>	<u>Appn. No.</u>	<u>Filed</u>

from which priority under Title 35 United States Code, § 119 is claimed

is enclosed.

will follow.

**CALCULATION OF UTILITY APPLICATION FEE**

For	Number Filed	Number Extra	Rate	Basic Fee \$385.00
TOTAL CLAIMS	20		x 18 =	\$ .00
INDEPENDENT CLAIMS	3		x 86 =	\$ .00
[ ] Multiple Dep. Claim			290	\$ .00
				<b>TOTAL \$ .00 - <i>385.00</i></b>

Verified Statement of "Small Entity" Status Under 37 C.F.R. § 1.27. Reduced fees under 37 C.F.R. § 1.9(f) (50% of total) paid herewith \$.

The amount of \$40.00 for recording the attached Assignment is enclosed as a separate check.

Check(s) in the amount of \$385.00 to cover the filing fee is attached.

Charge fee to Deposit Account No. 04-1121.

TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

[x] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and 1.17, at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 04-1121. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 04-1121 therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,

Date: January 26, 2004



Yuri Kateshov

Reg. No.

Attorney for Applicant

DILWORTH & BARRESE, LLP  
333 Earle Ovington Blvd.  
Uniondale, NY 11553  
Tel. No. (516) 228-8484  
Fax. (516) 228-8516